



Expedited Procedure Under 37 C.F.R. 1.116  
Examining Group 1205

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Timothy J. Barberich and James W. Young

Serial No.: 07/896,725

Group Art Unit: 1205

Filed: June 9, 1992

Examiner: L. Schenkman

For: METHOD FOR TREATING ASTHMA USING OPTICALLY  
PURE R(-) ALBUTEROL

#28

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20231, on

July 23, 1993

B. J. Harris  
Signature

July 23, 1993  
Date

93 JUL 30 11:10:28

The Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Transmitted herewith is a response in the above-identified application.

☒ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.

☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)		(COL. 2)		(COL. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	* 11	MINUS	** 21	0
INDEP	* 3	MINUS	*** 3	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDIT. FEE
X 11	\$ 0
X 37	\$ 0
+115	\$ _____

OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE
X 22	\$ _____
X 74	\$ _____
+230	\$ _____

OR

TOTAL = \$ 0

\$ \_\_\_\_\_

☐ Please charge my Deposit Account No. 08-0380 in the amount of \$\_\_\_\_\_.

☐ A check in the amount of \$\_\_\_\_\_ is attached.

☐ A separate Petition for Extension of Time is being filed concurrently herewith.

☐ Payment for the extension fee is included with the petition.

☐ Deposit Account No. 08-0380 is being charged for the extension fee.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-0380.

☒ Any filing fees under 37 C.F.R. 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 C.F.R. 1.17.

Any extensions of time that are required to maintain this application in a pending status, if not included herewith, are hereby requested. The Commissioner is hereby authorized to charge such extension fees to Deposit Account No. 08-0380. Two copies of this transmittal letter are enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Richard W. Wagner  
Richard W. Wagner  
Registration No. 34,480  
Agent for Applicant(s)  
(617) 861-6240

Dated: July 23, 1993  
A:\AMFEE\FOR

SPC8905  
RWV:18  
7/22/93



CP 1205  
PATENT APPLICATION  
Docket No. SPC89-05'

Expedited Procedure under 37 C.F.R. 1.116  
Examining Group 1205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **Cones. and Mail**

Applicant: Timothy J. Barberich and James W. Young **BOX AF**

Serial No.: 07/896,725

Group Art Unit: 1205

Filed: June 9, 1992

Examiner: L. Schenkman

Title: METHOD FOR TREATING ASTHMA USING OPTICALLY  
PURE R(-) ALBUTEROL

#28/1  
(NE)  
JLP  
7/30/93

93 JUL 30 11:10:28

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with  
the United States Postal Service as First Class Mail in an envelope  
addressed to Honorable Commissioner of Patents and Trademarks,  
Washington, D.C. 20231 on July 23, 1993  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

B. J. Hounsbury July 23, 1993  
Signature Date

### Amendment After Final Action Under 37 CFR 1.116

The Honorable Commissioner  
of Patents and Trademarks  
Box AF  
Washington, D.C. 20231

Sir:

This is in response to the official action of June 7, 1993  
(Paper Number 26), which requires response by September 7, 1993.

Please amend the application as follows:

#### In the Claims:

Claim 18, line 2 change "R-albuterol" to -- R(-)albuterol--.

#### Remarks

Claims 1 to 6, 8, 9, 13 and 14 were presented in the  
application as filed. Claims 9, 13 and 14 were canceled and  
claims 15 through 18 added in applicants' response mailed to the